

Privacy Policy Mahakavach

Mahakavach Application is the official COVID-19 tracing and epidemic management mobile application introduced by the Government of Maharashtra (“We”, “Us”, “GOM” or other connotations). Government of Maharashtra shall mean to include all the bodies or agencies through which the Maharashtra State Government exercises all its legislative and executive authority vested in it by the Constitution of India. Mahakavach Application (“App”) facilitates contact tracing of COVID-19 positive patients (“**Contact Tracing**”) and quarantine real-time tracking process of any COVID-19 patients or otherwise quarantined amidst the ongoing COVID-19 pandemic (“**Quarantine Tracking**”).

GOM has introduced the App pursuant to the authority vested in it by, inter alia, section 2 of the Epidemic Diseases Act, 1897. The measure is being taken to combat the coronavirus disease caused by the newly discovered, severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2) (“**COVID-19**”). Only a person who has been verified as COVID-19 positive or advised by health officials to quarantine through an enabling verification process put together by GOM can use the App. GOM verifies this information from its database from any and all municipal corporations, local self governments or any other authority located within Maharashtra accordingly.

1. LEGAL BASIS:

This Privacy Policy (“**Privacy Policy**”) is meant to help the Users understand what information We collect, why We collect it, what information We disclose and how the Users can update, manage, export, and delete their information. It shall be read with our Terms and Conditions and in compliance with the following:

- The Information Technology Act, 2000
- The Information Technology (Reasonable Security Practices and Procedures and Sensitive Personal Information) Rules, 2011 (the “**IT Rules**”)
- The Information Technology (Intermediaries Guidelines) Rules, 2011
- The Epidemic Diseases Act, 1897
- National Disaster Management Act, 2005

2. CONSENT:

The Users will be deemed to have read, understood and agreed to the terms as provided in this Privacy Policy. By granting their assent to this Privacy Policy, Users’ provide consent to such use, collection and disclosure of Sensitive Personal Information as prescribed in this Privacy Policy.

We reserve the right to update or change our Privacy Policy at any time and the Users should check this Privacy Policy periodically.

Continued use of the Service after we post any modifications to the Privacy Policy on this page/location will constitute the Users acknowledgment of the modifications and their consent to abide and be bound by the modified Privacy Policy. Users have the right to opt out of the App at any moment. In addition, the Users can, by sending an email to ‘team@msins.in’, inquire whether GOM is in possession of their personal data, and they may also require GOM to delete and destroy all such information. Post receiving the request, GoM can take appropriate steps about deleting/destroying the data as GoM guidelines for Data preservation.

In the event the App is used on behalf of any other individual (such as a child/ parent etc.), the Users represent that they are authorised to accept this Privacy Policy and share such data as required on behalf of such person.

3. INFORMATION COLLECTED:

All information collected by GOM is with the Users’ consent. GOM is however free to use, collect, and disclose information of the Users which is in the public domain and link the same with the data procured under this Privacy Policy and use such information only in accordance with this Privacy Policy.

When Users use / register on the App, the Users may provide GOM with certain information voluntarily specific to the nature of the service being availed on the Platform and/or certain information may be

collected by GOM. This information may include sensitive personal information as defined under the IT rules (“**Sensitive Personal Information**”).

The Users hereby consent to the collection of such information by GOM.

Information collected by GOM shall include but not be limited to the following:

- Name
- Contact Details (Email ID and Mobile No.)
- Age
- Gender
- Real time location information.
- Location history for 60 days prior to the User’s positive test result reports.
- Camera Access
- Contact numbers (access to Users Contact list)
- Call logs
- Medical records and history, if applicable and required

We also collect certain information either when the Users provide it using the App and / or automatically as the User navigates through the App (which may include usage details, IP address, device ID and type, the operating system used by your device, access times, and information collected through cookies, web beacons and other tracking technologies).

If GOM has reasons to suspect that the information provided by any User is misleading, inaccurate, obsolete or incomplete, GOM reserves the right to refuse provision of the Services to the User, at its sole discretion.

4. USE OF THE INFORMATION COLLECTED:

We collect personal information only necessary for the following purposes:

- To create and maintain User’s account;
- To enable contact tracing;
- To notify, trace and support Users if they have come in contact with other Users of the App;
- To take immediate measures to curb the outbreak of COVID-19 by enforcing quarantine/testing people who have come in close proximity with the User prior to the him/her being tested COVID -19 positive.
- To map locations of Users and determine the places visited over by him/her in order to identify locations that need to be sanitised and where people need to be more deeply tested to prevent infection outbreaks in such places
- To ensure compliance with quarantine or lockdown requirements. The location of Users who have undergone treatment and now test negative of COVID -19, will be tracked for 14 days at the least from the date of their test reports projecting negative of COVID -19. The above mentioned period of 14 days may increase depending on the severity of the disease and/or as deemed by the Contact Tracing Team.
- To generate reports, heat maps and other statistical visualisations for the purpose of management of COVID -19. Such demographics will be in an aggregated or non-personally identifiable form thereby ensuring anonymity.
- To send provide general notifications pertaining to COVID -19 in India or other information that may be of interest;
- To provide medical and administrative personnel/ people carrying out medical and administrative interventions and state authorities/agencies helping GOM in curbing the menace of COVID -19 (“**Contact Tracing Team**”) necessary information in relation to COVID -19;
- To determine whether a disease cluster is developing at any geographic location;

- To notify the necessary information related to the App and Services and Users account on the App from time to time to the User and to contacts from the Users contacts list;
- To send surveys or surveys to inform you of new Services or other information that may be of interest to User and to contacts from the Users contacts list;
- To maintain records and provide you with an efficient, safe and customized experience while using the App;
- To analyse overall trends to help us improve the App and Services;
- To enable contact tracing and quarantine tracking for any unforeseeable future outbreaks or cases of relapses;
- To enable contact tracing and quarantine tracking for any unforeseeable future outbreak of any virus which is unidentified/unknown at present;
- To comply with applicable laws, rules, and regulations;
- And in any other way consistent with this Privacy Policy and to support the above activities.

5. MANNER OF USE

5.1 The information mentioned in clause 3 will be stored securely on a server operated by GOM (“**Server**”). The information stored on the Server will be hashed with a unique digital id (“**UiD**”) that is pushed to the User’s App. Thereafter, the UiD will be used to identify the User in all subsequent App related activities and will be associated with any data or information uploaded from the App to the Server.

5.2 The App continuously collects your location information/data and stores securely on your mobile device.

5.3 The information mentioned in clause 3 will be retained for as long as your account remains in existence and for such period thereafter as required by the Contact Tracing Team as per the any law for the time being in force.

5.4 The processing of personal data needed for the functioning of the App is based on your consent. In case you decide to share your location information with the Contact Tracing Team, any further processing is based on the authority vested in GOM by Section 2 of the Epidemic Disease Act, 1897.

5.5 A User who has been cured of COVID -19 or have completed quarantine period, may disable the App’s functionality further to an advise by GOM. If contact tracing is required for a future outbreak, the User will be prompted to enable permissions, or the User can reinstall the App.

6. DATA PROTECTION:

The security of Sensitive Personal Information is important and We have implemented commercially acceptable means to protect the same. We take care of your personal data in a secure way to ensure it is not inappropriately lost, misused, accessed, disclosed, altered or destroyed. All communication between the App and Servers is encrypted. Location data on your device are also encrypted. Access to databases is logged. Phone numbers stored in our database will be deleted when the need for contact tracing is over. However, remember that no method of transmission over the Internet, or method of electronic storage, is 100% secure and We cannot guarantee its absolute security. We have implemented best industry practices and security policies, rules and technical measures to protect the data including Sensitive Personal Information that is under GOM’s control from unauthorised access, improper use or disclosure, unauthorised modification and unlawful destruction or accidental loss. However, for any data loss or theft due to unauthorized access to the User’s electronic devices through which the User avails the Services, We shall not be held liable for any loss whatsoever incurred by the User.

Further, in case breach of security or actions including without limitation, computer hacking, unauthorized access to computer data and storage device, computer crashes etc., GOM will not be held responsible.

7. DISCLOSURES AND TRANSFER

Save as otherwise set out in clause 4 with respect to information provided to the Contact Tracing Team is necessary in relation to COVID -19, no personal information collected by the App will be disclosed or transferred to any third party. We do not transfer personal data to anyone outside the realm of India.

8. RIGHTS OF THE USERS:

As a User, GOM grants complete control of the information submitted. The rights pertaining thereto are enumerated below:

- **The right to access, update or delete the information We have on the User.**
This can be done through the User's account settings available on the App.
- **The right of rectification.** Users have the right to have their information rectified if that information is inaccurate or incomplete.
- **The right to object and restrict.** Users can object and restrict to the processing of their Sensitive Personal Information. This may however, interfere with the provision of Services to its optimum.
- **The right to data portability.** Users have the right to be provided with a copy of the information We have on you in a structured, machine-readable and commonly used format.
- **The right to withdraw consent.** Users have the right to withdraw their consent at any time where consent is given pertaining to Sensitive Personal Information.

Please note that Users may be asked to verify identity before responding to such requests. If the Users are unable to perform these actions themselves, please get in touch with the Grievance Officer for assistance.

9. CONTACT DETAILS:

Users may contact GOM by email or postal mail on the following address of the Grievance Officer:

Mahakavach App

E-mail ID: team@msins.in